



Writ Petition No.28543 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.09.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.28543 of 2024

V.Manivannan
S/o.Varadharajan

... Petitioner

Vs.

1.Government of Tamil Nadu,
represented by its Secretary,
Commercial Tax & Registration (M) Department,
Secretariat, St.Fort George,
Chennai - 600 009.

2.The Inspector General of Registration,
O/o.The Inspector General of Registration,
No.120, Santhome High Road,
Chennai - 600 028.

3.The Assistant Superintendent (Stamps),
Singaravelar Maligai,
32, Rajaji Salai, Chennai.

4.The Deputy Collector (Stamps),
O/o.The District Collector Office,
Salem.

5.Sundaram

... Respondents



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Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the second respondent to consider the petitioner's representation dated 12.10.2023 to recover petitioner's arrears of salary between 01.04.2022 and 08.06.2022 and reinstatement of the petitioner's service as driver in the fourth respondent office within a stipulated time fixed by this Court.

For Petitioner : Mr.B.Karthikeyan

For Respondents : Mr.P.Harish
Government Advocate [R1 to R4]

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the second respondent to consider the representation made by the petitioner on 12.10.2023 wherein the petitioner has sought for arrears of salary and for reinstatement into service as driver in the fourth respondent office.

2. Heard Mr.B.Karthikeyan, learned counsel for petitioner and Mr.P.Harish, learned Government Advocate appearing for respondents 1 to 4.



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3. The petitioner had earlier filed a writ petition in W.P.No.35533 of 2023 with the same grievance but seeking for a different relief. That writ petition was dismissed by this Court by order dated 04.01.2024. The present writ petition has been filed with the same grievance by changing the relief. The relief that has been sought for in the present writ petition could have been sought for in the earlier writ petition. If the relief had not been sought for in the earlier writ petition, the present writ petition will be barred by *constructive res judicata*. The principle of *constructive res judicata* will apply even in writ proceedings. The law on this issue is too well settled. In view of the above, there is absolutely no merits in the writ petition.

Accordingly, this Writ Petition is dismissed. No costs.

25.09.2024

Neutral Citation: Yes/No
Index: yes/no
Speaking Order/Non-Speaking Order
gm



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To



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N.ANAND VENKATESH, J

gm

- 1.The Secretary,
Commercial Tax & Registration (M) Department,
Secretariat, St.Fort George,
Chennai - 600 009.
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O/o.The Inspector General of Registration,
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